



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON PETITION FOR RECONSIDERATION

On October 29, 1998, the Federal Communications Commission ("Commission") released an order denying requests for waiver of the October 29, 1998, deadline for late payments filed by several broadband PCS C and F block licensees ("October 29th Order").¹

On November 4, 1998, SouthEast Telephone, Inc. ("SouthEast") filed a petition for reconsideration ("Petition") of the October 29th Order. SouthEast contends that the Commission did not address the specific facts and circumstances that supported SouthEast's request for waiver under the "hard look" standard set forth in *WAIT Radio v. FCC*.² SouthEast also argues that the Administrative Procedure Act prohibits the application of Sections 1.2110(f)(4)(iii) and 1.2110(f)(4)(iv) of the Commission's rules³ to SouthEast and that application of these rules does not necessarily result in the automatic cancellation of licenses for a late installment payment.

To assist the Bureau in making recommendations to the Commission, we seek comment on all aspects of the SouthEast Petition. **Comments are due November 30, 1998.** Comments should be addressed to: Amy Zoslov, Chief, Auctions & Industry Analysis Division, Wireless Telecommunications Bureau, Room 5202, 2025 M Street, N.W., Washington, D.C. 20554.

Copies of the Petition for Reconsideration may be obtained from the Commission's duplicating contractor, International Transcription Service, Inc. (ITS), 2131 20th Street, N.W.,

¹ See In the Matter of Requests for Extension of the Commission's Initial Non-Delinquency Period for C and F Block Installment Payments, WT Docket No. 97-82, *Order*, FCC 98-290 (rel. October 29, 1998).

² 418 F.2d 1153 (D.C. Cir. 1969).

³ 47 C.F.R. §§ 1.2110(f)(4)(iii) and 1.2110(f)(4)(iv) (1998).

Washington, D.C. 20036, (202)857-3800. Copies are also available for public inspection in the Public Reference Room, Room 5608, 2025 M Street, N.W., Washington, D.C. 20554.

For further information, contact Alice Elder of the Auctions & Industry Analysis Division at (202) 418-0660.

Action by the Chief, Wireless Telecommunications Bureau.